

Action Plan on Consumer Product Safety
Between
the U.S. Consumer Product Safety Commission and
the General Administration of Quality Supervision, Inspection and
Quarantine of the People's Republic of China

The U.S. Consumer Product Safety Commission (CPSC) and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (AQSIQ) (hereinafter referred to as "the Participants"):

In accordance with the principles outlined in the Memorandum of Understanding between the U.S. Consumer Product Safety Commission and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China (hereinafter referred to as "MOU"), with a view to protecting consumers' safety and health;

Recognizing that AQSIQ is the governmental agency responsible for the supervision and administration of China's import and export commodity inspection, quarantine, certification, and standardization; and is in charge of enforcing the supervision and administration of China's import and export commodity inspection in accordance with the laws and regulations of China and international common practice;

Recognizing that CPSC is an independent federal regulatory agency created to protect the public against unreasonable risks of injuries and deaths associated with consumer products; and is in charge of the enforcement of the U.S. Consumer Product Safety Act (CPSA), the U.S. Federal Hazardous Substances Act (FHSA), the U.S. Flammable Fabrics Act (FFA), the U.S. Poison Prevention Packaging Act (PPPA) and the U.S. Refrigerator Safety Act (RSA);

Noting the unique role that the Participants play in protecting the safety and health of the consumers of each nation, as well as the beneficial cooperation already conducted in the field of consumer product safety, the Participants have jointly developed this Action Plan on consumer product safety (hereinafter referred to as the "Action Plan"):

Article 1 Objectives

The following objectives can be achieved through developing this Action Plan:

- To protect the safety and health of the consumer reasonably and effectively;
- To enhance the understanding and cooperation of the Participants;

- To establish a smooth liaison channel for the Participants;
- To form an effective mechanism of communication, coordination and resolution for the Participants; and
- To conduct urgent consultation on significant safety events related to consumer products.

Article 2 Scope of Consumer Products

Consumer products include the consumer products covered by Annex 1: Catalogue of Consumer Products under the MOU. If one Participant has the intention to expand the scope of consumer products, it should notify the other promptly, and the scope of consumer products may be adjusted through consultations by mutual consent.

Article 3 Summit

The Sino-U.S. Consumer Product Safety Summit is to be held every other year, hosted alternately by CPSC and AQSIQ.

As an important part of ministerial dialogue in the field of consumer product safety of the Participants, the Sino-U.S. Consumer Product Safety Summit should provide a platform for the government bodies and interested parties of both countries to study and decide the nature of bilateral cooperation on consumer product safety, determine short and long term consumer product safety objectives, decide the tasks and objectives of the working groups discussed in Article 4 below, and discuss other issues of mutual concern.

Article 4 Working Groups

The Participants should set up working groups in the field of consumer products of mutual concern, which are to be formed by the personnel of the government bodies and interested parties of both countries.

The meeting of the working groups is to be held annually, hosted alternately by the Participants.

When emergencies concerning significant safety and public health matters emerge, a temporary meeting of the applicable working group may be convened upon request of one Participant.

The working groups are to study and discuss the issues of mutual concern in the corresponding fields, fulfill the tasks and objectives set at the Sino-U.S. Consumer Product Safety Summit, and solve any differences and problems arising in the relevant fields.

At the initial stage, the working groups are to be set up according to the product categories covered by the Catalogue of Consumer Products. If one Participant

has the intention to add a new working group, it should notify the other Participant promptly, and the adjustment may be made by mutual consent.

Article 5 Information Exchange Mechanism

The Participants note that it is of great necessity to strengthen information exchange and communication through biennial summits, annual meetings of the working groups, and urgent consultation meetings on significant safety events. The Participants are to exchange information when one Participant finds that the consumer products imported from the country of the other Participant have safety problems. The Participants are to exchange information on the status of and changes to safety standards, technical regulations and conformity assessment procedures.

Article 6 Urgent Consultation Mechanism

The Participants show concern for any event threatening public health or having a significant adverse effect on safety. The Participants have determined that an urgent consultation mechanism should be established to respond to events threatening public safety and/or health which are caused by exported consumer products. The Participants intend to propose appropriate solutions.

Article 7 Technical Cooperation

The Participants have decided to support, develop, and continuously strengthen technical cooperation and communication in the field of consumer products.

Intending to take advantage of each other's technical resources, the Participants have decided that one Participant, upon the request of the other, should provide the other Participant with reasonable and necessary resources to support the implementation of technical cooperation and communication on consumer products. The support includes but is not limited to providing technical research, academic communication, personnel training, etc. The expense is to be borne by the requesting Participant.

Article 8 Training and Cooperation

The Participants acknowledge the necessity to hold training for laboratory and inspection personnel, and exchange administrative personnel with each other in order to implement this Action Plan. The Participants have decided that, when necessary, one Participant may send two persons engaged in laboratory, inspection, and/or administration to the laboratory and/or institution of the other Participant to attend training and/or work. The expenses are to be borne by the sending Participant.

Article 9 Technical Assistance

The Participants acknowledge that necessary technical assistance is important for the implementation of this Action Plan. The Participants have decided that, upon the request of the other Participant, one Participant may provide technical assistance to the other. The expenses are to be borne by the requesting Participant.

Article 10 Funding

Any and all activities under this Action Plan are subject to the needs of both Participants based on mutual consent. The Participants understand that any and all activities under this Action Plan are subject to the availability of funds and resources and the laws governing the respective Participants.

Each Participant is to designate contact persons for carrying out activities under this Action Plan.

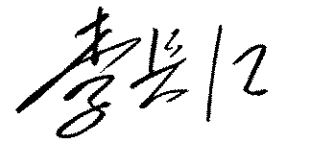
This Action Plan may be modified with approval in writing of the Participants.

This Action Plan is to be implemented from the date of its signature and continue for a period of two years. Thereafter, it is to continue automatically for another two years unless one Participant notifies the other in writing of with thirty days advance notice of its intention to end the Action Plan.

Signed in Beijing on August 30, 2005, in the English and Chinese languages.



For the U.S. Consumer Product
Safety Commission



For the General Administration of
Quality Supervision, Inspection and
Quarantine of the People's
Republic of China